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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,069	03/06/2001	Rose Mary Farenden	FMC 1335 PUS / 200-1707	4132
28395	7590	03/02/2005	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			STIMPAK, JOHNNA	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,069

Applicant(s)

FARENDEN, ROSE MARY

Examiner

Johnna R Stimpak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/6/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. The following is a first office action upon examination of application number 09/800,069.

Claims 1-17 are pending and have been examined on the merits discussed below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1, 2, 12-17** are rejected under 35 U.S.C. 102(a and e) as being anticipated by Joao, US 6,662,194.

As per **claim 1**, Joao teaches receiving input defining a candidate's employment credentials (column 14, lines 46-60; column 21, lines 33-40 – candidates enter personal information concerning employment credentials, education, experience, skills, etc., is stored); presenting at least one employment opportunity that best matches the candidate's employment credentials (column 22, lines 42-54 – a report of matching jobs are listed); receiving input requesting consideration for the at least one employment opportunity that best matches the candidate's employment credentials (column 22, line 54 – column 23, line 13 – the candidate indicates which job he/she is interested in applying for); and presenting the candidate with an

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invitation to an employer-hosted recruiting event based on a comparison between the candidate's employment credentials and candidate matching criteria associated with the at least one employment opportunity (column 24, lines 22-49 – once both the candidate and employer express interest, the employer and the individual may proceed with the interview, employment screening and/or recruitment process).

As per **claim 2**, Joao teaches presenting a candidate with an employment skills questionnaire (column 14, lines 46-60; column 25, lines 36-44 – the candidate enters personal information concerning employment credentials, education, experience, skills, etc.); and presenting the candidate with an invitation to an employer-hosted recruiting event for further evaluation based on a comparison between the candidate's response to the employment skills questionnaire and candidate matching criteria associated with at least one employment opportunity (column 24, lines 22-49 – once both the candidate and employer express interest, the employer and the individual may proceed with the interview, employment screening and/or recruitment process).

As per **claim 12**, Joao does not explicitly teaches the recruiter that is introduced has an educational or professional background similar to that of the candidate's. Inherently, a recruiter has a similar background to those jobs for which he/she is recruiting; therefore the recruiter would have a similar background to the candidate.

As per **claim 13**, Joao teaches the site additionally programmed to present a candidate with a message center for communicating with recruiting staff during the recruiting process (column 13, lines 1-21 – the employer and candidate can communicate during the recruiting process through a number of ways including email, videophone, interactive television, etc).

As per **claim 14**, Joao teaches the message center presents the candidate with an offer for employment (inherently the communication system can be used to present an offer of employment).

As per **claim 15**, Joao teaches the message center receives candidate scheduling information for the employer-hosted recruiting event. Inherently the communication between the employer and candidate would include schedule information since interviews and employment screenings are performed (column 24, lines 33-35).

As per **claim 16**, Joao teaches the message center presents the candidate with instructions during the recruiting process (column 23, lines 35-50 – the employer can instruct the candidate to submit additional information).

As per **claim 17**, Joao teaches the message center receives any special needs of the candidate during the recruiting process (column 23, lines 35-50 – the information requested by the employer can include any information of interest to the employer therefore, inherent to this would be special needs of the candidate).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3, 7, 9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao.

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As per **claim 3**, Joao does not explicitly teach the site is additionally programmed to present an invited candidate with an employer offer prior to the conclusion of the employer-hosted recruiting event. It is old and well known in the art of recruiting to present and offer of employment. Joao does teach communication between the candidate and the employer using several means of electronic communication. Therefore it would have been obvious to indicate and offer of employment to the candidate through the site since this would be a quicker method of communicating with the candidate.

As per **claim 11**, Joao teaches the use of videophones and interactive television in conjunction with the Internet but does not explicitly teach the site additionally programmed to present a candidate with a multimedia presentation introducing a recruiter. However given that Joao teaches the use of videophones and interactive television, it would have been obvious to one of ordinary skill in the art at the time of the invention to introduce the recruiter using a multimedia presentation, this allows for simulated face-to-face contact without incurring the travel that may be associated with a meeting between the candidate and the recruiter.

6. **Claims 4-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao in view of My Monster from Monster.com. Two articles are relied upon, "Monster.com Launch Marks Creation of World's Leading Global Online Network for Careers" and "Monster.com"

As per **claim 4**, Joao teaches an online job search system but does not teach additionally comprising presenting an icon for retaining the at least one employment opportunity wherein the candidate re-accesses the icon upon subsequent log-in. My Monster from monster.com includes a password protected area where members are able to store information concerning job searches,

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resumes etc (“Monster.com” page 2, “my monster” paragraph). Since Joao teaches an online job search system wherein a candidate can enter search criteria it would have been obvious to one of ordinary skill in the art to incorporate Monster’s “my monster” feature wherein a user can store information concerning job searches in a password protected area of the website. This added feature allows a user to more quickly retrieve previous job searches, resumes, etc.

As per **claim 5**, Joao does not explicitly teach the icon is configured to receive input requesting consideration for the at least one retained employment opportunity. My Monster from Monster.com teaches applying to the jobs through the personalized My Monster page. Since Joao teaches an online job search system wherein a candidate can enter search criteria it would have been obvious to one of ordinary skill in the art to incorporate Monster.com’s “my monster” feature wherein a user can store information concerning job searches and apply to jobs in a password protected area of the website (“Monster.com”, page 1, paragraph 5). This added feature allows a user to more quickly retrieve previous job searches, resumes, etc, and to contact the employer to apply for the position.

As per **claim 6**, Joao does not explicitly teach the icon is configured to receive input for selecting and deleting a retained employment opportunity. My Monster from Monster.com teaches selecting a saved job description to apply for (“Monster.com” page 1, paragraph 4 and 5). Since both Joao and Monster.com teach internet job search systems, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the My monster features of Monster.com into Joao so the candidate could access stored job search results and select and apply to them. This modification gives the user the ability to have a more efficient way to retrieve past information to simplify the task of searching for a job.

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As per **claim 7**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to receive input for selecting a graphical theme for the icon. However it is old and well known in the art of the Internet for a user to customize a websites. This customization makes for a more personalized experience for the user and thereby would aid in the retention of that user to the site.

As per **claim 8**, Joao does not explicitly teach the icon is configured to receive input for requesting a detailed description of a retained employment opportunity and present a detailed description of a retained employment opportunity in response to the input. My Monster from monster.com allows a user to retain job search results which would inherently include the ability to click on the results to read a detailed description of the opportunity. Since both Joao and Monster.com teach internet job search systems, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the My Monster features of Monster.com into Joao so the candidate could access stored job search results. This modification gives the user the ability to have a more efficient way to retrieve past information to simplify the task of searching for a job.

As per **claim 9**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to receive input selecting a style of music to be played and play music on response to the music selection. However it is old and well known in the art of the Internet for a user to customize a websites. This customization makes for a more personalized experience for the user and thereby would aid in the retention of that user to the site.

As per **claim 10**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to forward a retained employment opportunity to another candidate. However

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since Joao teaches the use of electronic communications using email, etc., it would have been obvious for the candidate to forward an employment opportunity to another candidate, so long as the email address is available. This modification allows a candidate to send a job description on to a friend or colleague who may be interested in that job.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McGovern et al, US 5,978,768 – computerized job search system and method for posting and searching job openings via computer network

Kurzius et al, US 6,385,620 – system and method for the management of candidate recruiting information

Nadkarni, US 6,266,659 – skills database management system and method

Reuning, US 6,381,592 – candidate chaser

Davey, Brett – “Screen test: Interviewing candidates via video hookup”

Matthes, Karen – “Videoconferences can change the way you do business”

Vickers, Marcia – “Don’t touch that dial: Why should I hire you?”

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R Stimpak whose telephone number is 703-305-4566.


The examiner can normally be reached on M-F 8am-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS
2/22/05



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